



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 6231-99
22 September 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: FORMER [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that his naval record be corrected to show that he was discharged for the best interest of the service, vice by reason of a personality disorder.

2. The Board, consisting of Messrs. Pfeiffer and Kastner and Ms. LeBlanc, reviewed Petitioner's allegations of error and injustice on 14 September 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, the Board finds it to be in the interest of justice to waive the statute of limitations and consider the application on its merits.

c. Petitioner served on active duty in the Navy from 8 February to 17 September 1993, when he was discharged by reason of a personality disorder. He contends, in effect, that he was suffering from the residual effects of attention deficit disorder at that time, which was misdiagnosed as a personality disorder. He maintains that he was done very well since separation, which militates against a diagnosis of a personality disorder. His contentions are supported by the findings of a psychiatrist and a psychologist.

CONCLUSION:

Upon review and consideration of all the evidence of record, and after resolving doubt in Petitioner's favor, the Board finds that it would be in the interest of justice to grant his request.

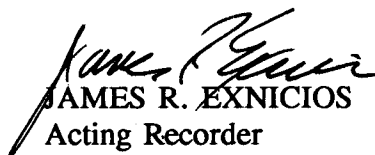
RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he was discharged from the Navy on 17 September 1993, by reason of best interest of the service.

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

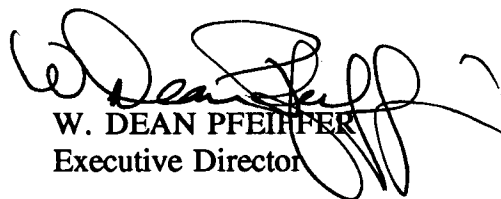
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



JAMES R. EXNICIOS
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director